

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

DESHANAE L. BROWN,

Plaintiff,

-against-

NEW YORK CITY HUMAN RESOURCES
ADMINISTRATION; MOUSTAPHA BOUKARI;
FRANK AGBI; ASRA HORTON; LAURIE
MOORE; CANDI RUFUS,

Defendants.

23-cv-9113 (ER)

ORDER OF SERVICE

EDGARDO RAMOS, United States District Judge:

Plaintiff brings this *pro se* action under Title VII of the Civil Rights Act of 1964, the American with Disabilities of 1990, the Family and Medical Leave Act of 1993, and the New York State Human Rights Laws, alleging that Defendants discriminated against her based on her color, sex, and disability. By order dated October 18, 2023, the Court granted Plaintiff's request to proceed *in forma pauperis* ("IFP").

DISCUSSION

Because Plaintiff has been granted permission to proceed IFP, she is entitled to rely on the Court and the U.S. Marshals Service to effect service.¹ *Walker v. Schult*, 717 F.3d. 119, 123 n.6 (2d Cir. 2013); *see also* 28 U.S.C. § 1915(d) ("The officers of the court shall issue and serve all process . . . in [IFP] cases."); Fed. R. Civ. P. 4(c)(3) (the court must order the Marshals Service to serve if the plaintiff is authorized to proceed IFP)).

¹ Although Rule 4(m) of the Federal Rules of Civil Procedure generally requires that summonses be served within 90 days of the date the complaint is filed, Plaintiff is proceeding IFP and could not have served the summonses and complaint until the Court reviewed the complaint and ordered that summonses be issued. The Court therefore extends the time to serve until 90 days after the date summonses are issued.

To allow Plaintiff to effect service on Defendants the New York City Human Rights Administration, Moustapha Boukari, Frank Agbi, Asra Horton, Laurie Moore, and Candi Rufus through the U.S. Marshals Service, the Clerk of Court is instructed to fill out a U.S. Marshals Service Process Receipt and Return form (“USM-285 form”) for each Defendant. The Clerk of Court is further instructed to issue summonses and deliver to the Marshals Service all the paperwork necessary for the Marshals Service to effect service upon Defendants.

If the complaint is not served within 90 days after the date the summonses are issued, Plaintiff should request an extension of time for service. *See Meilleur v. Strong*, 682 F.3d 56, 63 (2d Cir. 2012) (holding that it is the plaintiff’s responsibility to request an extension of time for service).

Plaintiff must notify the Court in writing if her address changes, and the Court may dismiss the action if Plaintiff fails to do so.

CONCLUSION

The Clerk of Court is instructed to issue summonses, complete the USM-285 form with the addresses for the New York City Human Rights Administration, Moustapha Boukari, Frank Agbi, Asra Horton, Laurie Moore, and Candi Rufus, and deliver all documents necessary to effect service to the U.S. Marshals Service.

The Clerk of Court is further directed to mail an information package to Plaintiff.

SO ORDERED.

Dated: October 25, 2023
New York, New York



EDGARDO RAMOS
United States District Judge

DEFENDANTS AND SERVICE ADDRESSES

1. New York City Human Rights Administration
150 Greenwich Street, 3rd Floor
New York, New York 10006
2. Moustapha Boukari
109 E. 16th Street, 12th Floor
New York, New York 10003
3. Frank Agbi
305 Rider Avenue, 3rd Floor
Bronx, New York 10451
4. Asra Horton
305 Rider Avenue, 1st Floor
Bronx, New York 10451
5. Laurie Moore
1365 Jerome Avenue, 2nd Floor
Bronx, New York 10452
6. Candi Rufus
109 E. 16th Street, 12th Floor
New York, New York 10003